

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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QIANG LU *et al.*,

Plaintiffs,

-v-

PURPLE SUSHI, INC. *et al.*,

Defendants.  
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19 Civ. 5828 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Between August 22, 2022 and August 29, 2022, a jury trial was held in this case to resolve Plaintiffs’ claims against Defendants Yami Yami, Inc., Jianfu Zhuo, Mingjie Wang, and Zenan Li (collectively, the “Yami Yami Defendants”). Pursuant to Federal Rule of Civil Procedure 49(a)(1), at the conclusion of trial the Court submitted to the jury “a special verdict in the form of a special written finding on each issue of fact.” After deliberating, the jury returned a verdict finding, *inter alia*, that the Yami Yami Defendants each employed each of the Plaintiffs, Dkt. 122 at 1-4; that the Plaintiffs worked a certain number of hours each week and were paid a rate for those hours that was beneath the regular and overtime rates required by the New York Labor Law, *id.* at 5-14; that the Yami Yami Defendants did not increase Plaintiffs’ pay on days when their spread of hours exceeded ten, *id.* at 14-15; that the Yami Yami Defendants did not provide the written documentation of Plaintiffs’ wages required by the New York Labor Law, *id.* at 16-17; and that the various Yami Yami Defendants acted with varying degrees of good faith, *id.* at 18-21. Following trial, the parties submitted a joint computation of the damages the Yami Yami Defendants owe to Plaintiffs given those findings. Dkt. 127-1.

Subsequently, on October 5, 2022, the Court ordered the remaining two Defendants in this action, Purple Sushi, Inc. and Xing Chen (collectively, the “Purple Sushi Defendants”) to appear on November 9, 2022 at 11:00 a.m. to show cause why a default judgment should not be entered against them. Dkt. 133 at 2. The Court further ordered Plaintiffs to move for a default judgment against the Purple Sushi Defendants by October 13, 2022. *Id.* On October 13, 2022, Plaintiffs filed their motion for default judgment and supporting documentation. Dkts. 140-41. That documentation included affidavits from each Plaintiff and, based on those affidavits, a computation of the damages owed to each Plaintiff by the Purple Sushi Defendants. Dkts. 141-1 to 141-6. On November 9, 2022, the Purple Sushi Defendants failed to appear as ordered by the Court. Having reviewed the allegations in the Complaint, *see generally* Dkt. 1, and the Plaintiffs’ affidavits and damages calculations, at that hearing the Court found the Purple Sushi Defendants liable on the first, second, third, fourth, fifth, eighth, and ninth counts of the Complaint, *see* Dkt. 1 at 18-24, and found the Purple Sushi Defendants to owe damages in the amount alleged by the Plaintiffs.

Consequently, pursuant to Federal Rule of Civil Procedure 58(b)(2)(A) and 58(b)(2)(B), the Court respectfully directs the Clerk of Court to enter judgment in favor of Plaintiffs, as follows:

I. For Plaintiff Qiang Lu:

- a. Jointly and severally from Defendants Purple Sushi, Inc. and Xing Chen, damages in the amount of \$9,313.16, plus pre-judgment interest on \$3,913.16 of those damages, computed at a rate of 9% per year from February 9, 2019 until the date of judgment;
- b. Jointly and severally
  - i. From Defendant Yami Yami, Inc., damages in the amount of \$82,047.42, plus prejudgment interest on \$72,047.42 of those damages, computed at a rate of 9% per year from September 28, 2017 until the date of judgment;

- ii. From Defendant Jianfu Zhuo, damages in the amount of \$82,047.42, plus prejudgment interest on \$72,047.42 of those damages, computed at a rate of 9% per year from September 28, 2017 until the date of judgment;
- iii. From Defendant Mingjie Wang, damages in the amount of \$57,065.71, plus prejudgment interest on \$52,065.71 of those damages, computed at a rate of 9% per year from October 1, 2017 until the date of judgment;
- iv. From Defendant Zenan Li, damages in the amount of \$73,646.28, plus prejudgment interest on \$68,646.28 of those damages, computed at a rate of 9% per year from September 29, 2017 until the date of judgment;

II. For Plaintiff Yongbing Qi:

- a. Jointly and severally from Defendants Purple Sushi, Inc. and Xing Chen, damages in the amount of \$67,945.68, plus pre-judgment interest on \$57,945.68 of those damages, computed at a rate of 9% per year from January 3, 2019 until the date of judgment;
- b. Jointly and severally
  - i. From Defendant Yami Yami, Inc., damages in the amount of \$207,290.39, plus prejudgment interest on \$197,290.39 of those damages, computed at a rate of 9% per year from March 18, 2016 until the date of judgment;
  - ii. From Defendant Jianfu Zhuo, damages in the amount of \$207,290.39, plus prejudgment interest on \$197,290.39 of those damages, computed at a rate of 9% per year from March 18, 2016 until the date of judgment;
  - iii. From Defendant Mingjie Wang, damages in the amount of \$145,892.91, plus prejudgment interest on \$140,892.91 of those damages, computed at a rate of 9% per year from March 21, 2016 until the date of judgment;

- iv. From Defendant Zenan Li, damages in the amount of \$192,690.84, plus prejudgment interest on \$187,690.84 of those damages, computed at a rate of 9% per year from March 18, 2016 until the date of judgment;

III. For Plaintiff Zhenhua Duan

- a. Jointly and severally from Defendants Purple Sushi, Inc. and Xing Chen, damages in the amount of \$2,007.00, plus pre-judgment interest on \$807.00 of those damages, computed at a rate of 9% per year from November 20, 2018 until the date of judgment;
- b. Jointly and severally
  - i. From Defendant Yami Yami, Inc., damages in the amount of \$20,412.76, plus prejudgment interest on \$11,412.76 of those damages, computed at a rate of 9% per year from May 17, 2017 until the date of judgment;
  - ii. From Defendant Jianfu Zhuo, damages in the amount of \$20,412.76, plus prejudgment interest on \$11,412.76 of those damages, computed at a rate of 9% per year from May 17, 2017 until the date of judgment;
  - iii. From Defendant Mingjie Wang, damages in the amount of \$13,193.01, plus prejudgment interest on \$8,193.01 of those damages, computed at a rate of 9% per year from May 17, 2017 until the date of judgment;
  - iv. From Defendant Zenan Li, damages in the amount of \$15,854.76, plus prejudgment interest on \$10,854.76 of those damages, computed at a rate of 9% per year from May 16, 2017 until the date of judgment.

SO ORDERED.

Dated: November 14, 2022  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge